



United States Department of the Interior

National Park Service
Midwest Region
601 Riverfront Drive
Omaha Nebraska 68102-4226

18-00127(MWR-LCPP/G)

May 15, 2018

Mr. Cameron Clark
Director, Indiana Department of Natural Resources
402 West Washington Street, W 256
Indianapolis, Indiana 46204-2745

Dear Mr. Clark:

Thank you for taking the time to help the National Park Service (NPS) Land and Water Conservation Fund (LWCF) team understand the nature of, and reasons for, the changes to the plans associated with the pavilion at Indiana Dunes State Park as compared to the June 21, 2016 versions we previously reviewed.

To confirm our current understanding, the revised plans propose reconfiguring, mainly, the first floor space to remove some access and common spaces in favor of a larger dining space with a central bar area and more controlled access to the general store/concessions areas. According to Pavilion Partners, the inclusion of a bar area in the first floor restaurant is not new; it was included on the west side of the original plans although not identified as such. The new configuration with the central bar replaces the area labeled as "Open Kitchen employees only." On the second floor the planned exterior balcony additions are now labeled to make clear that one will extend the dining area and the other will extend the bar area. Finally, on the rooftop, the restaurant/bar area is now designed to enclose a larger footprint and the areas previously labeled as "public rooftop" have been relabeled as "east (or west) public rooftop dining." It was stated that Pavilion Partners had intended that the entire rooftop would support the restaurant/bar even though in the original plans the labels suggested that only the center space was for this purpose.

We have spent considerable time reviewing the documentation/plans and discussing this in depth. Our position is that the revised/clarified plans no longer represent what the LWCF State and Local Assistance program provided technical assistance on and assessed as being consistent with the 2014 Allowable Uses of Buildings Located on LWCF 6(I)(3) Protected Lands memorandum. Our initial review and assessment of the proposed pavilion plans dated June 21, 2016 was predicated on the nature of the offerings and the amount of space that would be for park visitors to use and their ability to move around/through the building. The 2016 plans provided for a lifeguard space, restrooms, a general store, an ice cream shop, and a casual dining beachside restaurant with a walk up order counter on the first floor; a sit-down/full service restaurant with a bar on the second floor; and a rooftop that was mainly public area with a small open air food service/refreshment/bar counter in the center that could be enclosed. We advised that this proposal would support the outdoor recreation purpose of the park and primarily serve the public visiting the park for outdoor recreation.

The current designs, however, less clearly support a similar interpretation. As configured, a majority of the pavilion would comprise various forms of drinking and dining opportunities, with a nominal amount of space on the first floor used to provide other park-related services to the public. We are not convinced that these drinking and dining opportunities are significantly supportive of the outdoor recreation resources and use of the park. Further, a large bar as the focal point of the first-floor restaurant does not support the concept that it is intended to be a casual, family-oriented, food service option for beachgoers.

In addition, the elimination of a significant amount of public space from the first floor inhibits public access and use for visitors wanting to come in from the elements and take advantage of the services offered in the pavilion when dining establishments are closed. Although we understand it will be removed, the "fine-dining" label on the second-floor restaurant is also problematic because it could make the operation seem unwelcoming to park users. Finally, the lack of any public space on the rooftop that is not for drinking or eating also diminishes the outdoor recreation opportunity of the building. If the pavilion were redeveloped in this manner, we are closer to thinking it would be a conversion.

We indicated the June 21, 2016 proposed plans, as we understood them (not as Pavilion Partners may have intended, in spite of the narrative and labels), were in keeping with the LWCF program. Therefore, for our concurrence to remain, the designs and plans need to revert to be more consistent with our original understanding. If the Indiana Department of Natural Resources (INDNR) would instead prefer to support Pavilion Partners in keeping the newer version of the plans, then the drawings, along with a revised narrative explaining the uses, would need to be submitted and reassessed by the NPS. Additionally, any future revisions to the plans would need to follow this process.

As noted above, we are not confident the current configuration can still be viewed as secondary and supportive of outdoor recreation. We are also concerned by the INDNR's statements that these plans will likely continue to change and we are uncomfortable providing a determination for an action that will continually have cause to be questioned with each iteration of the plans. Pursuing conversion would remove the need for NPS involvement in the INDNR's/Pavilion Partners' plans.

We look forward to continuing this dialogue to determine the best path forward for INDNR and the LWCF program. Please reach out to me at Roger_Knowlton@nps.gov or 402-661-1558 to discuss these options.

Sincerely,

A handwritten signature in blue ink that reads "Roger A. Knowlton". The signature is written in a cursive style with a large initial 'R'.

Roger A. Knowlton
Recreation Grants Chief